

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

J&J SPORTS PRODUCTIONS, INC.,

*Plaintiff,*

v.

ALICE BERGARA GUTIERREZ, Individually and  
d/b/a CLUB REEHAB and d/b/a/ CLUB REHAB,

*Defendants.*

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CIVIL ACTION H-14-1176

**FINAL JUDGMENT**

Pursuant to the court's memorandum opinion and order issued this day, the court enters **JUDGMENT** for plaintiff J&J Sports Productions, Inc. on its § 605 claim against defendants Alice Bergara Gutierrez, individually and doing business as Club Reehab and Club Rehab ("Defendants"). Plaintiff shall recover the following sums against defendants, jointly and severally, plus post-judgment interest at the rate of .25 percent annually from the date of this judgment until paid:


1. Statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(i)(II) in the amount of \$5,000.
2. Additional damages pursuant to 47 U.S.C. § 605(e)(3)(C)(ii) in the amount of \$10,000.
3. Attorneys' fees in the amount of \$1,000, along with a conditional award of attorneys' fees for post-trial and appellate services, as described below.
4. Conditional attorneys' fees in the following circumstances:
  - a. Ten Thousand Dollars (\$10,000.00) in the event that the defendant or defendants file(s) a motion to vacate, Rule 60 motion, motion for new trial, motion for reconsideration or other post-judgment, pre-appeal motion that does not result in a reversal of the judgment obtained in the action;

- b. Fifteen Thousand Dollars (\$15,000.00) in the event that a defendant files an appeal to the Fifth Circuit Court of Appeals that does not result in a reversal of the judgment obtained in this action;
- c. Five Thousand Dollars (\$5,000.00) for making and/or responding to the defendant or defendants' petition for certiorari to the U.S. Supreme Court that does not result in a reversal of the judgment obtained in this action;
- d. Ten Thousand Dollars (\$10,000.00) for an appeal to the U.S. Supreme Court in the event the defendant or defendants' petition for certiorari is granted and does not result in a reversal of the judgment obtained in this action;
- e. Two Thousand Five Hundred Dollars (\$2,500.00) for collection of the judgment rendered in this case, should plaintiff obtain a writ of execution, writ of garnishment, writ of attachment, or other process.

The court also enjoins defendants from ever intercepting or exhibiting an unauthorized program in violation of the Federal Communications Act. Lastly, costs are taxed in favor of the plaintiff.

This is a **FINAL JUDGMENT**.

Signed at Houston, Texas on January 12, 2015.



Gray H. Miller  
United States District Judge